

# Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.606(b)  
Table of Allotments  
Analog Television Broadcast Stations  
(Jackson, Mississippi)

)  
)  
)  
)  
)

MM Docket No. 00-\_\_\_\_  
RM-\_\_\_\_

To: Chief, Video Services Division

## PETITION FOR RULE MAKING

KB Prime Media LLC and Edward I. St. Pe, applicants for a new television station on Channel 51 at Jackson, Mississippi, hereby request that the Commission initiate a rule making proceeding to substitute and allot NTSC Channel 50 for its proposed NTSC Channel 51 at the reference coordinates specified in the attached engineering exhibit.<sup>1</sup>

As set forth in the Engineering Statement, (attached hereto as Exhibit A), operation on Channel 50 appears permissible with an effective radiated power ("ERP") of up to 5,000 kW, utilizing a directional antenna and an antenna height above average terrain (HAAT) of 609 meters. Thus, the applicants request the following change to the NTSC Table of Allotments:

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<sup>1</sup> On November 22, 1999, the Commission opened a filing window to allow for, among other things, applicants for new NTSC television stations whose proposed operation is preempted by a digital allotment to modify their proposals to specify a channel below 60, which was scheduled to close on March 17, 2000. See Public Notice, DA 99-2605 (released November 22, 1999). The Commission later extended the filing window until July 15, 2000. See Public Notice, DA 00-536 (released March 9, 2000). Thus, this rule making is timely filed.

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List A B C D E  
MM B

	<u>Current</u>	<u>Proposed</u>
Jackson, Mississippi	3, 12, 16, 29, 40, 51	3, 12, 16, 29, 40, 50

### **DISCUSSION**

Pursuant to the Commission's Public Notice, DA 99-2605 (released November 22, 1999), an applicant for a new NTSC television station whose channel is preempted by a new digital allotment is eligible to modify its proposal and specify a new channel. The channel proposed by the applicants has been allotted for use by WLBT(TV), Jackson, Mississippi as its digital allotment, and is thus unavailable for use by the NTSC applicants. Thus, these applicants are eligible to file the instant rule making. Operation on Channel 50 would allow these applications to continue to be processed.

If the proposal set forth herein is adopted, the parties agree to amend their applications to specify operation on Channel 50.

**CONCLUSION**

For the foregoing reasons, the applicants respectfully requests that the Commission initiate the rule making requested herein and that it substitute NTSC Channel 50 for NTSC Channel 51 at Jackson, Mississippi.

Respectfully submitted,

KB Prime Media LLC

By: Lara S. Meisner  
David D. Oxenford  
Lara S. Meisner

Its Attorneys

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2300 N Street, N.W.  
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Edward I. St. Pe

By: Arthur Belendiuk / RSM  
Arthur Belendiuk

His Attorney

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Dated: July 17, 2000

**EXHIBIT A**

TECHNICAL EXHIBIT  
PREPARED IN SUPPORT OF  
PETITION FOR RULE MAKING TO  
MODIFY THE NTSC ALLOTMENT TABLE  
CHANNEL 50  
JACKSON, MISSISSIPPI

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of KB Prime Media, LLC in support of a Petition for Rule Making to modify the NTSC allotment at Jackson, Mississippi by the proposed substitution of channel 50 for channel 51.

In the Public Notice, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for new Analog TV Stations", released on November 22, 1999, the FCC announced a filing window opportunity for applicants with certain pending application and allotment petitions for new analog TV stations. Specifically, those pending applications which technically conflict with DTV allotments are eligible for the filing window.

Currently, KB Prime Media, LLC (KBPML) has a pending application (BPCT-19960710KY) for operation on channel 51 at Jackson, Mississippi. Station WLBT-TV, Ch. 3 at Jackson, Mississippi was allotted Ch. 51 for its DTV operation. Therefore the pending KBPML application conflicts with the Jackson DTV allotment, and is therefore considered eligible for the filing window.

The pending Jackson application proposes operation on TV channel 51 with a non-directional antenna effective radiated power (ERP) of 5000 kilowatts and an HAAT of 554 meters. However, in order to eliminate the conflict with the WLBTTV DTV allotment, this petition for rulemaking proposes to substitute NTSC channel 50 for the channel 51 NTSC allotment at Jackson.

NTSC channel 50 can be substituted and allotted to Jackson, Mississippi in compliance with the principle community coverage requirements of section 73.685(a) at the following reference coordinates, Latitude 32° 11' 29", Longitude 90° 24' 22". This proposed site is located 75 kilometers northeast of the application site. Operation on channel 50 from this proposed site appears permissible with a non-directional effective radiated power (ERP) of 5000 kilowatts and an HAAT of 609 meters.

The proposed transmitter site would meet the Commission's minimum separation requirements applicable to NTSC operation on channel 50 specified in Section 73.610. The proposed channel 50 operation complies with the FCC's interference criterion with respect to DTV allotments and authorized DTV facilities provided in Section 73.623(c). Therefore, it is proposed to modify the NTSC allotment at Jackson with the following specifications:

State & City	NTSC Channel	NTSC ERP(kW)	Antenna HAAT(m)
MS, Jackson	50	5000	609

It is proposed to amend the NTSC Table of Allotments, Section 73.606(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Jackson, Mississippi	3,12,16,29,40,51	3,12,16,29,40,50	

It is proposed to allot UHF channel 50 at Latitude 32° 11' 29", Longitude 90° 24' 22". The channel 50 facility proposes operation with an antenna radiation center height above mean sea level (RCAMSL) of 698 meters, an antenna radiation center height above average terrain of 609 meters, and a non-directional antenna ERP of 5000 kilowatts.

Figure 1 is a separation study toward other NTSC and DTV allotments based on a 161 kilometer "buffer". As indicated, the allotment reference point is fully-spaced to all other NTSC stations or allotments except toward a proposal to allocate channel 50 to Plaquemine, Louisiana, and also a channel 35 vacant NTSC allotment at Vicksburg, Mississippi.

The Plaquemine proposal is considered to be "deleted" pursuant to paragraph 112 of the 6<sup>th</sup> Report and Order in MM Docket No. 87-268 (FCC 97-115). In reference to the channel 35 allotment at Vicksburg, the Commission has allotted DTV channel 35 to Columbus, Mississippi, thus the channel 35 Vicksburg allotment is in conflict with the Columbus DTV allotment and will therefore be deleted.

With respect to DTV allotments, the separation requirements can be used as an indication of which stations have the potential of receiving interference from the proposed channel 50 NTSC operation.

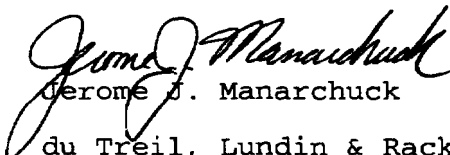
Figure 2 provides a summary of DTV interference and service for the proposed channel 50 NTSC allotment. Determination of DTV interference was made in accordance

with the procedures adopted in the FCC's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket No. 87-268 and outlined in OET Bulletin No. 69. Studies indicate that the proposed channel 50 operation would not cause prohibited interference to any DTV allotments, and therefore the proposed operation is in full compliance with the FCC's interference criterion with respect to pertinent DTV allotments.

Figure 3 is a map which depicts the City Grade (80 dBu), Grade A (74 dBu), and Grade B (64 dBu) contours for the proposed channel 50 NTSC operation. The city limits of Jackson based on the 1990 Census data, are also shown. As indicated, all of Jackson is located within the predicted City Grade contour. Therefore, the proposed channel 50 NTSC allotment will comply with the FCC's city coverage requirements.

#### Conclusion

It is believed that channel 50 can be substituted for the current channel 51 NTSC allotment at Jackson, in compliance with the FCC rules concerning NTSC allotment changes.

  
Jerome J. Manarchuck

du Treil, Lundin & Rackley, Inc.  
201 Fletcher Avenue  
Sarasota, Florida 34237

July 17, 2000



TV - TV Separation Study

Job Title : Proposed Ch. 50  
Zone : 2  
Channel 50 (686-692 MHz)

Separation Buffer 161 km  
FCC TV DB Date : 07/17/00  
Coordinates : 32-11-29 90-24-22

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
961001 APP	VICKSBURG MS BPCT	-19961001	35(-) II	5000 253	DA 32-19-35 90-37-03	307.1 -94.97	24.93	119.9 SHORT <sup>1</sup>
961001 APP	VICKSBURG MS BPCT	-19961001	35(-) II	5000 175	DA 32-25-09 90-49-23	303.0 -73.20	46.70	119.9 SHORT <sup>1</sup>
ALLOC.	VICKSBURG MS	-	35(-) II	0 0	32-20-54 90-52-42	291.6 -72.12	47.78	119.9 SHORT <sup>1</sup>
960710 APP	VICKSBURG MS BPCT	-19960710	35(-) II	5000 316	32-25-37 91-13-15	289.1 -38.84	81.06	119.9 SHORT <sup>1</sup>
961001 APP	VICKSBURG MS BPCT	-19961001	35(-) II	5000 89	32-25-37 91-13-15	289.1 -38.84	81.06	119.9 SHORT <sup>1</sup>
960920 APP	TUPELO MS BPCT	-19960920	35(+) II	5000 219	33-55-37 88-33-36	41.2 138.52	258.42	119.9 CLEAR
ALLOC.	TUPELO MS	-	35(+) II	0 0	34-15-42 88-42-48	33.9 158.71	278.61	119.9 CLEAR
960612 APP	NEW IBERIA LA BPCT	-19960612	36(-) III	1000 307	DA 30-12-48 91-45-58	210.8 159.05	254.75	95.7 CLEAR
WWLTV APP	NEW ORLEANS LA BPRM	-20000413	36 III	1000 305	29-54-23 90-02-23	172.1 160.04	255.74	95.7 CLEAR
960920 APP	NEW IBERIA LA BPCT	-19960920	36(-) III	5000 299	30-12-04 91-46-33	210.8 160.70	256.40	95.7 CLEAR
ALLOC.	NATCHEZ MS	-	42(+) III	0 0	31-33-39 91-24-14	233.6 86.09	117.49	31.4 CLEAR
960919 APP	NATCHEZ MS BPET	-19960919	*42(+) III	603 319	31-30-33 91-24-19	231.5 89.71	121.11	31.4 CLEAR
ALLOC.	WIGGINS MS	-	43(-) III	0 0	30-51-24 89-08-12	140.6 95.20	190.90	95.7 CLEAR
960930 APP	EL DORADO AR BPCT	-19960930	43(-) II	5000 530	33-04-41 92-13-41	300.5 101.54	197.24	95.7 CLEAR

<sup>1</sup> The channel 35 allotment at Vicksburg will be deleted as a result of the allotment of DTV channel 35 to Columbus, Mississippi.

TV - TV Separation Study

Job Title : Proposed Ch. 50

Zone : 2

Channel 50 (686-692 MHz)

Separation Buffer 161 km

FCC TV DB Date : 07/17/00

Coordinates : 32-11-29 90-24-22

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
960710	EL DORADO		43(-)	5000	32-46-49	289.8	199.24	95.7
APP	AR BPCT	-19960710	II	368	92-24-31		103.54	CLEAR
ALLOC.	EL DORADO		43(-)	0	33-12-24	298.7	240.03	95.7
AR	-		II	0	92-40-00		144.33	CLEAR
WMAA	COLUMBUS		*43(o)	741	33-32-54	50.7	240.93	95.7
CP	MS BPET	-19960919	II	141	88-23-45		145.23	CLEAR
960724	COLUMBIA		*45(o)	589	31-16-00	152.0	116.07	31.4
APP	MS BPET	-19960724	III	113	89-49-56		84.67	CLEAR
ALLOC.	COLUMBIA		45(o)	0	31-15-15	152.5	117.16	31.4
MS	-		III	0	89-50-08		85.76	CLEAR
960724	HATTIESBURG		*47(o)	100	31-21-02	133.4	135.38	31.4
APP	MS BPET	-19960724	III	99	89-22-12		103.98	CLEAR
ALLOC.	HATTIESBURG		47(o)	0	31-19-40	132.1	142.51	31.4
MS	-		III	0	89-17-32		111.11	CLEAR
WNTZ	NATCHEZ		48(o)	2820	31-40-08	244.8	134.68	31.4
LIC	MS BLCT	-19951010	III	316	91-41-30		103.28	CLEAR
ADD	CAMDEN		49(-)	1510	33-16-19	299.8	246.42	87.7
AR	-		II	175	92-42-11		158.72	CLEAR
KKYK-T	CAMDEN		49(-)	3020	33-16-19	299.8	246.44	87.7
LIC	AR BLCT	-20000412	II	175	92-42-12		158.74	CLEAR
ADD	PLAQUEMINE		50(-)	0	30-25-11	194.8	203.08	280.8
LA	-		III	0	90-56-50		-77.72	SHORT <sup>2</sup>
WPXX-T	MEMPHIS		50(o)	1320	35-12-41	9.1	339.41	280.8
CP MOD	TN BMPCT	-19920501	II	315	89-48-54		58.61	CLEAR
KBMT	BEAUMONT		50	1000	30-11-24	237.0	399.18	280.8
APP	TX BPCDT	-19991012	III	292	93-53-15		118.38	CLEAR

<sup>2</sup> The channel 50 petition for rulemaking at Plaquemine, Louisiana is not an interference consideration as the allotment will be eliminated pursuant to paragraph 112 of MM Docket No. 87-268.

TV - TV Separation Study

Job Title : Proposed Ch. 50  
Zone : 2  
Channel 50 (686-692 MHz)

Separation Buffer 161 km  
FCC TV DB Date : 07/17/00  
Coordinates : 32-11-29 90-24-22

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
961001 APP	JACKSON MS BPCT	-19961001	51(o) II	5000 371	32-14-26 90-24-15	2.0	5.47 -82.23	87.7 SHORT <sup>3</sup>
960920 APP	JACKSON MS BPCT	-19960920	51(o) II	1510 293	32-16-53 90-17-41	46.3	14.49 -73.21	87.7 SHORT <sup>3</sup>
961001 APP	JACKSON MS BPCT	-19961001	51(o) II	724 377	32-16-53 90-17-41	46.3	14.49 -73.21	87.7 SHORT <sup>3</sup>
960722 APP	JACKSON MS BPCT	-19960722	51(o) II	5000 180	32-17-44 90-14-44	52.5	19.05 -68.65	87.7 SHORT <sup>3</sup>
ALLOC.	JACKSON MS	-	51(o) II	0 0	32-17-54 90-11-30	59.4	23.44 -64.26	87.7 SHORT <sup>3</sup>
960711 APP	JACKSON MS BPCT	-19960711	51(o) II	5000 DA 146	32-33-55 90-04-51	36.2	51.55 -36.15	87.7 SHORT <sup>3</sup>
960710 APP	JACKSON MS BPCT	-19960710	51(o) II	5000 228	32-36-51 90-01-00	37.8	59.51 -28.19	87.7 SHORT <sup>3</sup>
960930 APP	JACKSON MS BPCT	-19960930	51(o) II	5000 305	32-38-31 90-00-59	36.0	61.98 -25.72	87.7 SHORT <sup>3</sup>
961001 APP	JACKSON MS BPCT	-19961001	51(o) II	5000 559	32-41-25 89-52-06	42.2	74.96 -12.74	87.7 SHORT <sup>3</sup>
960710 APP	JACKSON MS BPCT	-19960710	51(o) II	5000 554	32-41-25 89-52-06	42.2	74.96 -12.74	87.7 SHORT <sup>3</sup>

<sup>3</sup> The channel 51 allotment at Jackson, Mississippi will be deleted as a result of the allotment of DTV channel 51 to Jackson, Mississippi.

## TV - DTV Separation Study

Job Title : Proposed Ch. 50

Separation Buffer 161 km

Zone : 2

Channel 50 (686-692 MHz)

Coordinates : 32-11-29 90-24-22

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
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WNTZ-D	NATCHEZ	49	1000	DA	31-40-08	244.8	134.68	12.0/106.0
APP	MS BPCDT -19991027	III	313		91-41-30		28.68	CLEAR

WTOK-D	MERIDIAN	49	175	32-19-38	84.2	162.31	12.0/106.0
CP	MS BPCDT -19991028	III	165	88-41-28		56.31	CLEAR

DWNTZ	NATCHEZ	49	82.2	31-40-08	244.8	134.67	12.0/106.0
DTVALT	MS	III	316	91-41-30		28.67	CLEAR

DWTOKTV	MERIDIAN	49	1000	32-19-38	84.2	162.30	12.0/106.0
DTVALT	MS	III	165	88-41-28		56.30	CLEAR

DWCCCL	NEW ORLEANS	50	61.7	29-55-11	171.7	254.47	244.6
DTVALT	LA	III	271	90-01-29		9.87	CLOSE

DWBRCTV	BIRMINGHAM	50	1000	33-29-19	65.9	367.04	244.6
DTVALT	AL	II	420	86-47-58		122.44	CLEAR

WPXL-D	NEW ORLEANS	50	1000	29-55-11	171.7	254.48	244.6
APP	LA BPCDT -19990915	III	262	90-01-29		-9.88	SHORT

WBRC-D	BIRMINGHAM	50	1000	33-29-19	65.9	367.04	244.6
CP	AL BPCDT -19991004	II	373	86-47-58		122.44	CLEAR

D	TEXARKANA	50	33-25-29	293.0	367.04	244.6
DTVALT	TX	II	94-02-34		122.44	CLEAR

DKBMT	BEAUMONT	50	1000	30-11-26	237.0	399.00	244.6
DTVALT	TX	III	305	93-53-08		154.40	CLEAR

DWLBT TV JACKSON	51	1000	32-12-46	44.0	3.31	12.0/106.0
DTVALT MS	II	610	90-22-54		8.69	CLOSE

Figure 2

TECHNICAL EXHIBIT  
PREPARED IN SUPPORT OF  
PETITION FOR RULE MAKING TO  
MODIFY THE NTSC ALLOTMENT TABLE  
JACKSON, MISSISSIPPI

Interference and Service Summary

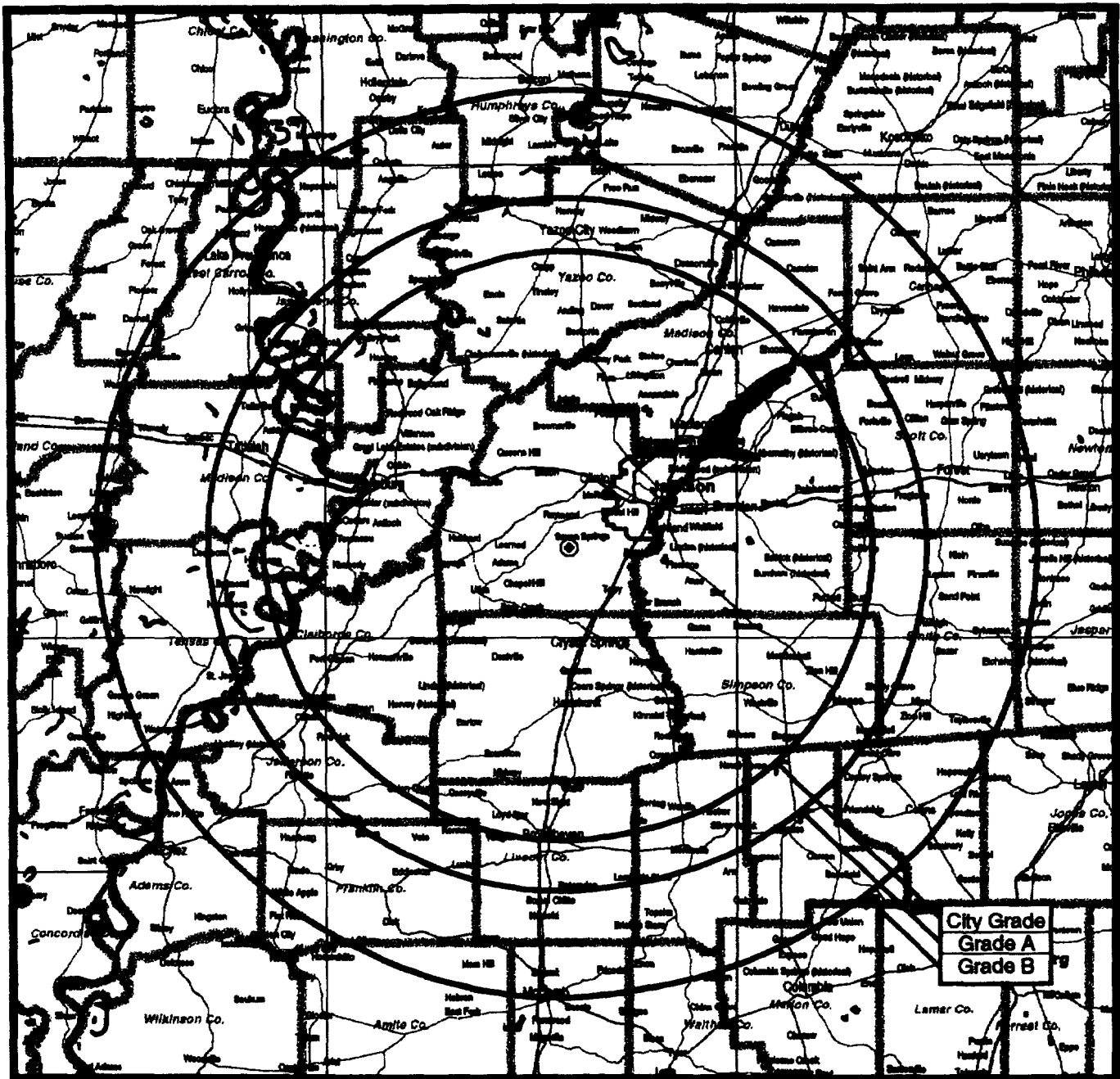
I. Interference Caused

Protected DTV Station	FCC Service Population	Interference Population
WNTZ-DT, DTV Ch. 49 Natchez, MS (App.)	342,775	486 (0.1%)
WPXL-DT, DTV Ch. 49 New Orleans, LA (App.)	1,673,635	117 (0.0%)

II. Service

	Population
Grade B Contour	750,685

Figure 3



# **PREDICTED COVERAGE CONTOURS**

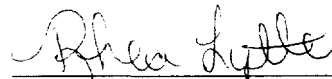
PROPOSED NEW(TV)  
JACKSON, MISSISSIPPI  
CH 50 5000 KW 609 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

**CERTIFICATE OF SERVICE**

I, Rhea Lytle, a secretary in the law firm of Shaw Pittman, hereby certify that on this 17th day of July, 2000, I caused to be served by hand delivery a copy of the foregoing “**Petition for Rule Making,**” on the following:

John A. Karousos, Chief  
Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
445 12th Street, S.W.  
Room 3-A320  
Washington, D.C. 20554

  
\_\_\_\_\_  
Rhea Lytle